

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
FELIX CASTRO,	:
	:
Plaintiff,	:
	:
-against-	:
	:
	:
SG AND ARL VENTURES, LLC,	:
	:
Defendant.	:
-----X	

ORDER TO SHOW CAUSE

23 Civ. 7903 (JHR) (GWG)

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

Plaintif filed the complaint in this matter on September 6, 2023. See Complaint (Docket #1). Federal Rule of Civil Procedure 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The 90-day period for service has expired. To date, no return of service for the complaint has been filed with the Court as to the defendant. Nor has there been an application for an extension of time that shows good cause for such failure.

Accordingly, plaintiff is hereby ordered to show cause why this case should not be dismissed under Rule 4(m) of the Federal Rules of Civil Procedure or Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. Such showing shall be made by affidavit or declaration filed on or before December 26, 2023. Plaintiff is warned that failure to comply with this Order may in itself result in dismissal of this action.

Dated: December 11, 2023
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge